

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

BOSTON SCIENTIFIC CORPORATION and,	)	
BOSTON SCIENTIFIC SCIMED, INC.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	C.A. No. 07-333-SLR
	)	
JOHNSON AND JOHNSON, INC. and	)	
CORDIS CORPORATION,	)	
	)	
Defendants.	)	
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	)	
BOSTON SCIENTIFIC CORPORATION and,	)	
BOSTON SCIENTIFIC SCIMED, INC.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	C.A. No. 07-348-SLR
	)	
JOHNSON AND JOHNSON, INC. and	)	
CORDIS CORPORATION,	)	
	)	
Defendants.	)	

**DEFENDANTS' MOTION TO DISMISS  
FOR LACK OF SUBJECT MATTER JURISDICTION**

Defendants in the captioned actions hereby respectfully move, pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure, to dismiss both complaints on the ground that this Court lacks jurisdiction over their subject matter. The basis for the requested relief is fully set forth in defendants' supporting opening memorandum, which is being served and filed contemporaneously herewith.

ASHBY & GEDDES

*/s/ Steven J. Balick*

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Steven J. Balick (I.D. #2114)  
John G. Day (I.D. #2403)  
Lauren E. Maguire (I.D. #4261)  
500 Delaware Avenue, 8<sup>th</sup> Floor  
P.O. Box 1150  
Wilmington, DE 19899  
302-654-1888

*Attorneys for Defendants*

*Of Counsel:*

David T. Pritikin  
William H. Baumgartner, Jr.  
Paul E. Veith  
Russell E. Cass  
SIDLEY AUSTIN LLP  
One South Dearborn  
Chicago, IL 60603  
Telephone: (312) 853-7000  
Facsimile: (312) 853-7036

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CORDIS CORPORATION, )

Defendants. )

C.A. No. 07-348-SLR

**ORDER**

This \_\_\_\_\_ day of \_\_\_\_\_, 2007, the Court having considered defendants' motion to dismiss for lack of subject matter jurisdiction in the above actions, and having concluded that good grounds exist for the requested relief; now therefore,

IT IS HEREBY ORDERED that defendants' motion is granted, and that both of the complaints in the above-captioned actions are dismissed without prejudice.

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United States District Judge